AdvanceMe Inc v. RapidPay LLC

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## **EXHIBIT N**

TO DECLARATION OF MICHAEL N. EDELMAN IN SUPPORT OF ADVANCEME, INC.'S OPPOSITION TO DEFENDANTS' MOTION FOR LEAVE TO AMEND INVALIDITY CONTENTIONS

## Vinson&Elkins

Joseph D. Gray jgray@velaw.com Tel 512.542.8420 Fax 512.236.3224

October 30, 2006

## VIA FACSIMILE & U.S. MAIL

Michael Edelman Paul, Hastings, Janofsky & Walker LLP Five Palo Alto Square, Sixth Floor Palo Alto, CA 94306-2155

Re: AdvanceMe, Inc. v. Rapidpay LLC, et al. (No. 6:05-cv-00424) (E.D. Tex.); AdvanceMe, Inc. v. AmeriMerchant LLC (No. 6:06-cv-082) (E.D. Tex.)

## Dear Michael:

We write to confirm that AdvanceMe does not oppose defendants' proposed amendments to their preliminary invalidity contentions related to Litle & Company, as detailed in my letter to you dated October 9, 2006. AdvanceMe has not responded to defendants' inquiry, despite the passage of three weeks, thus defendants presume that AdvanceMe does not oppose their motion. As defendants plan to file a motion for leave to amend tomorrow, October 31st, please let me know by the end of today if defendants' presumption is inaccurate.

Regards,

Joseph D. Gray

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cc:

Ronald Lemieux Bill Schuurman Hilary Preston